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Government of Kerala
1979

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIV] Trivandrum, Wednesday 12th September 1979 / 21st Bhadra 1901 [No. 640

GOVERNMENT OF KERALA

Election Department

NOTIFICATION

No. 5796/EL1/79/Elec. *Dated, Trivandrum, 11th September* 1979.

Notification No. 56/79(6) dated 1st September, 1979 of the Election Commission of India is hereby published.

By order

M. K. SARADA,
Deputy Secretary & Deputy Chief Electoral Officer, Kerala.

ELECTION COMMISSION OF INDIA

New Delhi,
Dated 1st September, 1979.

NOTIFICATION

S.O. .—In exercise of the powers conveyed by Article 324 of the Constitution read with rules 5 and 10 of the Conduct of Elections Rules, 1961 and paragraph 18 of the Election Symbols (Reservation and Allotment)

33/3337/MC.

Order, 1968, and all other powers enabling it in this behalf, the Election Commission of India hereby makes the following Order to amend the said Election Symbols (Reservation and Allotment) Order, 1968 (S. O. 2959, dated the 31st August, 1968):—

(1) *Short Title*.—This order may be called the Election Symbols (Reservation and Allotment) (amendment) Order, 1979.

(2) *Substitution for Paragraph* 9.—For paragraph 9 of the Election Symbols (Reservation and Allotment) Order, 1968, the following paragraph shall be *substituted*, namely:—.

"9. *Restriction on the allotment of Symbols reserved for State parties in States where such parties are not recognised*.—A symbol reserved for a State Party may be included in the list of free symbols in any State in which that party is not a State Party, and such symbol may be allotted subject to the provisions of paragraph 10, 11 and 12 either to any candidate set up by any unrecognised political party or to any other candidate not set up by any political party (hereinafter referred to an "independent candidate")

[No. 56/79(6)]

By order

(Sd.)

V. NAGASUBRAMANIAN,
Secretary.

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GOVERNMENT OF KERALA

General Administration (Miscellaneous) Department

NOTIFICATION

No.108020/M1/79/GAD. *Dated, Trivandrum, 11th September,* 1979.

Under the 'Explanation' to section 25 of the Negotiable Instruments Act 1881 (Central Act 26 of 1881) read with Notification of the Government of India, Ministry of Home Affairs No. 20/25/56-Pub-I dated 8th June 1957, the Government of Kerala are hereby pleased to declare that in addition to the holidays declared under Notification No. 142294/M1/78/GAD dated 8-11-1978 Saturday the 15th September, 1979 as a Public Holiday for the Districts of Trivandrum, Quilon, Kottayam, Ernakulam, Palghat & Kozhikode (excluding North Wynad Taluk) and Tuesday the 18th September, 1979 as a Public Holiday for the Districts of Alleppey, Idukki, Trichur, Malappuram, Cannanore and North Wynad Taluk of Kozhikode District in connection with the General Elections to Local Bodies, 1979.

By order of the Governor,

K. P. S. MENON,
Additional Secretary.

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33/3338/MC.

Fifth Kerala Legislative Assembly

Bill No. 116

THE KERALA POLICE (AMENDMENT) BILL, 1979

A

BILL

further to amend the Kerala Police Act, 1960.

Preamble.—WHEREAS it is expedient further to amend the Kerala Police Act, 1960, for the purposes hereinafter appearing;

BE it enacted in the Thirtieth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Police (Amendment) Act, 1979.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Insertion of new section 21A.*—In the Kerala Police Act, 1960 (5 of 1961) (hereinafter referred to as the principal Act), after section 21, the following section shall be inserted, namely:—

"21A. *Power to prohibit mass drill, mass training, etc.*— (1) The District Magistrate may, whenever he considers it necessary so to do for the preservation of the public peace or public safety or for the maintenance of public order, by public notice or by order directed to individuals prohibit, in any area within his jurisdiction, the holding of, or taking part in, any mass drill or mass training with arms or the carrying of arms in any procession.

Explanation.—For the purposes of this section, "arms" means any type of offensive weapon and includes lathi, dand and stick.

(2) No prohibition under this section shall remain in force for more than three months:

Provided that if the Government consider it necessary so to do for the preservation of public peace or public safety or for the maintenance of public order, they may, by notification in the Gazette, direct that a public notice or order issued by a District Magistrate under this section shall remain in force for such further period not exceeding six months from the date on which such notice or order would have, but for such order, expired, as they may specify in the said notification.".

2/33.4/MC

3. *Amendment of section* 25.—In section 25 of the principal Act—

(i) in the opening paragraph,—

(a) for the words "order in writing", the word "order" shall be substituted;

(b) after the word and figures "section 21,", the word, figures and letter "section 21A," shall be inserted;

(ii) in clause (a), after the word and figures "section 21", the words, figures and letter "or under section 21A" shall be inserted.

4. *Insertion of new section* 57*A*.—After section 57 of the principal Act, the following section shall be inserted, namely:—

"57A. *Contravention of prohibition made under section* 21*A*.—Whoever contravenes any prohibition made under section 21A shall, on conviction, be liable to imprisonment for a term which may extend to six months, but which shall not be less than three months, and with fine which may extend to two thousand rupees.".

STATEMENT OF OBJECTS AND REASONS

It has come to the notice of Government that certain organisations in the State are frequently conducting mass drills and mass training with arms and holding processions in which the participants carry lathies and other arms. These groups also impart training in the use of lathies and other arms in public and private places. Such activities are likely to create tension and consequent breach of peace.

2. At present there is no law in force in this State for effectively preventing such activities. It is therefore proposed to empower the District Magistrate to prohibit such activities for a period of not more than three months. It is also proposed to empower the Government to extend the period of prohibition by a maximum period of six months.

3. The Bill is intended to amend the Kerala Police Act, 1960, for the above purposes.

FINANCIAL MEMORANDUM

The Bill if enacted and brought into operation would not involve any expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

1. Sub-clause (2) of clause 1 of the Bill seeks to empower the Government to bring the Amendment Act into force on a date to be notified by the Government.

2. The proviso to section 21A, proposed to be inserted in the Kerala Police Act, 1960, by clause 2 of the Bill, seeks to empower the Government to direct, by notification in the Gazette, that a public notice or order issued by a District Magistrate under that section shall remain in force for such further period, not exceeding six months from the date on which such notice or order would have, but for such order, expired.

3. The matters in respect of which notifications may be issued are matters of administrative nature. The delegation of legislative power is, thus, of a normal character.

P.K. VASUDEVAN NAIR

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NOTIFICATION

UNDER SECTION 6 OF THE KERALA SURVEY & BOUNDARIES ACT, 1961

No. B-481/79. *30th August 1979.*

Whereas the Government have directed the survey of lands comprised in survey numbers noted below, it is hereby notified under subsection (1) of section 6 of the Kerala Survey and Boundaries Act, 1961, that survey operation will be started in the villages soon and the survey numbers of the villages noted below will be demarcated and surveyed; and that every person claiming to be interested in the registered lands situated within or adjoining the undermentioned lands is hereby invited to attend immediately either in person or by agent on the surveyor employed in the locality and also from time to time when called upon for the purpose of pointing out the boundaries and supplying information in connection therewith.

Under subsection (2) of section 6 of the said Act, this notification shall be held to be a valid notice to every person having any interest in the said lands.

Under subsection (3) of section 6 of the above said Act all the registered holders are hereby required:—

(a) to clear within 15 days by cutting down or removing any trees, jungle, fences, standing crops or other material obstructions the boundaries or other lines, the clearance of which may be necessary for the purpose of survey; and

(b) to provide labour at such time and for such periods as may from time to time be required by furnishing flag holders and chain-men; and

(c) to provide suitable survey marks and otherwise to give such assistance in the survey as may be demanded under the said Act or the rules made thereunder.

If any person fails to comply with these requisitions under clauses (a) to (c) mentioned above, the work will be got done by employing hired labour and the cost thereof will be recovered from the defaulters as provided in the Act and rules made thereunder.

SCHEDULE

District—Alleppey. Taluk—Ambalapuzha.

Village—Alleppey

Sl. No.	*Sy. No.*	
1.	556/13	part
2.	587/5	,,
3.	587/6	,,
4.	593/1	,,
5.	607/1	,,
6.	607/2	,,
7.	608/1	,,
8.	608/2	,,
9.	608/3	,,

Village—Punnapra

Sl. No.	*Sy. No.*	
1.	477/4	part
2.	475/5	,,

Alleppey.

(Sd.)
Special Tahsildar (LA) NH.

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